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10 Attorneys for Defendant,
SEAGATE TECHNOLOGY LLC

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

15 IN RE SEAGATE TECHNOLOGY LLC
LITIGATION

17 CONSOLIDATED ACTION

Case No. 3:16-cv-00523-JCS

**SEAGATE TECHNOLOGY LLC'S
STATEMENT OF RECENT DECISION**

Date: March 30, 2018
Time: 9:30 a.m.
Place: Courtroom G
Judge: Hon. Joseph C. Spero

Second Consolidated Amended Complaint
filed: July 11, 2016

1 Pursuant to Local Rule 7-3(d)(2), Defendant Seagate Technology LLC requests that the
2 Court take notice of the following recent authority, which is relevant to its Opposition to Plaintiffs’
3 Motion for Class Certification (ECF No. 152): *In re Hyundai & Kia Fuel Economy Litigation*, No.
4 15-56014, 2018 WL 505343, at *3, 13-14 (9th Cir. Jan. 23, 2018) (explaining, *inter alia*, (1) that
5 courts must “consider the impact of potentially varying state laws, because ‘[i]n a multi-state class
6 action, variations in state law may swamp any common issues and defeat predominance[.]’” and (2)
7 in the absence of the kind of massive advertising campaign at issue in *In re Tobacco II Cases*, 46
8 Cal. 4th 298 (2009), a class must be defined in such a way as to include only members actually
9 exposed to allegedly misleading advertising about the particular product purchased, especially when
10 multiple products are included in the class definition).

11 A true and correct copy of the Ninth Circuit’s opinion is attached hereto as **Exhibit A.**

12 Dated: February 1, 2018

13 Respectfully submitted,

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15
16 By

/s/ Joy O. Siu

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18 Attorneys for Defendant,
19 SEAGATE TECHNOLOGY LLC
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